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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KINGVISION PAY-PER-VIEW LTD.
as Broadcast Licensee of the May 14, 2005
WRIGHT/TRINIDAD Program,

Plaintiff,

-against-

MEMORANDUM AND ORDER

Case No. 06-CV-2510 (FB) (MDG)

JULIO VILLALOBOS, Individually and as
officer, director, shareholder and/or principal
of Taqueria La Mixteca Rest. Inc. d/b/a
Taqueria La Mixteca Restaurant, and
TAQUERIA LA MIXTECA REST. INC. d/b/a
Taqueria La Mixteca Restaurant,

Defendants.
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Appearances:

For the Plaintiff:

JULIE COHEN LONSTEIN, ESQ.
Lonstein Law Office, P.C.
1 Terrace Hill, Box 351
Ellenville, NY 12428

BLOCK, Senior District Judge:

On March 11, 2008, Magistrate Judge Go issued a Report and Recommendation ("R&R") recommending plaintiff awarded judgment of \$12,555.25 against defendants, jointly and severally, consisting of \$1,099 in statutory damages, \$10,000 in enhanced damages, \$806.25 in attorneys' fees and \$650 in costs. A copy of the R&R, which warned that failure to file objections on or before March 28, 2008 "may waive the right to appeal the District court's Order," R&R at 19, was sent by overnight delivery to defendants. *See id.* No objections to the R&R have been filed.

If clear notice has been given of the consequences of failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review. *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure timely to object to a magistrate’s report and recommendation operates as a waiver of further judicial review of the magistrate’s decision.”). The Court will excuse the failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error, *see Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000); no such error appears here. Accordingly, the Court adopts the R&R without *de novo* review and directs the Clerk to enter judgment in accordance with the R&R.

SO ORDERED.

/signed/


FRÉDERIC BLOCK/
Senior United States District Judge

Brooklyn, New York
May 7, 2008